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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,080	12/04/2001	Philippe Mercier	K0B	8037

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EXAMINER

ALBERTALLI, BRIAN LOUIS

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/000,080

Applicant(s)

MERCIER, PHILIPPE

Examiner

Brian L. Albertalli

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Method for **Remote** Computer-Assisted Translation".

2. The disclosure is objected to because of the following informalities:

On page 8, line 9, the struck through "R (5) ." should be deleted.

Appropriate correction is required.

### *Drawings*

3. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

4. Claims 1-10 are objected to because of the following informalities:

Claims 1-10 should each have "A" inserted in the first line, so that the claims read "A method for..." or "A method according to..."

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4 and 6-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Peterson et al. (U.S. Patent 6,598,015) hereinafter referred to as "Peterson".

In regard to claim 1, Peterson discloses:

Method for computer-assisted translation, by processing source language sequences (Fig. 6, original language text 102 and 106, column 5, lines 64-66) by means of translation software to provide a user with (a) target language translation sequence proposal(s) for said source language sequences (suggested translations 110, column 6, lines 1-5), to allow said user to select and/or modify a target language translation sequence proposal (linguist can copy suggested translation, column 6, lines 10-12), and

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to save the pair of submitted source language sequence and selected and/or modified target language translation sequence for future use (Fig. 1, translated documents are stored in database 28, column 3, lines 44-51), in which a user computer is connected through a network to at least one remote translation server operating at least one translation software (column 5, lines 52-55).

In regard to claim 2, Peterson discloses the user computer is connected to the remote translation server(s) through an Internet protocol network or a LAN network (the Internet, column 3, lines 24-29).

In regard to claim 3, Peterson discloses a client server model through internet (column 3, lines 24-29).

In regard to claim 4, Peterson discloses a communication server (connection between linguists 16 and network server 10 is over the internet, therefore, the linguists must inherently connect to the network server through a "communication server", e.g. the linguists' internet service provider, column 3, lines 24-29 and column 5, lines 52-60).

In regard to claim 6, Peterson discloses the user computer is connected to the remote translation server from a browser application or from a word processing application (Fig. 16, browser 18, column 5, lines 52-60).

In regard to claim 7, Peterson discloses translation software(s) is/are selected from translation memory systems and/or machine translation systems and/or any other application or server that can be queried for translation (Fig. 1, column 3, lines 24-26).

In regard to claim 8, Peterson discloses the translation software(s) provide further information, in addition to the target language translation sequence proposal(s) (Fig. 6, file information 100, column 5, lines 60-64).

In regard to claim 9, Peterson discloses several translation softwares, which can operate several translation projects concomitantly and in which several users can connect concomitantly to one translation project (one or more linguists work with server 10, column 3, lines 24-29).

In regard to claim 10, Peterson discloses several translation softwares can be provided from a single translation server or from multiple translation servers (several linguists interact with the server concurrently, so inherently multiple instances of the translation software must be provided, column 3, lines 24-29).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson, in view of Official Notice.

Peterson does not disclose that the network connection between the linguists (Fig. 1, 16) and the translation server (10) is made over a peer-to-peer model.

Official notice is taken that peer-to-peer networks are notoriously well known in the art, and that they provide the advantage that all the clients provide resources, including bandwidth, storage space, and computing power.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Peterson to operate in a peer-to-peer network fashion, so that all the clients could provide resources, including bandwidth, storage space, and computing power, thereby increasing the efficiency of the overall system.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hogan et al. (*WebDiplomat : A Web-Based Interactive Machine Translation System*) disclose a network translation system with a pop up selector for providing alternate translation candidates. Motoyama (U.S. Patent 5,848,326<sup>86</sup>) disclose a system that translates different portions of an original language document at different servers. Kurachi et al. (U.S. Patent 6,092,035) disclose a network based translation system. Bourbonnais et al. (U.S. Patent 6,338,033) disclose a low level description of a networked based translation system. Johnson et al. (U.S. Patent 5,568,383) disclose a

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system that provides an information loss indicator along with a translation. Saindon et al. (U.S. Patent 6,820,055) disclose a browser for translating input speech from one language to another using a translation server. Kimpara et al. (U.S. Patent Application Publication 2001/0012992) disclose an additional web browser based translation service.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Albertalli whose telephone number is (571) 272-7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
W. R. YOUNG  
PRIMARY EXAMINER

BLA 9/15/05